

Introduced by Senator Battin

February 16, 2005

An act to add Article 5.5 (commencing with Section 6010) to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to pest control.

LEGISLATIVE COUNSEL'S DIGEST

SB 332, as introduced, Battin. Pest control.

Existing law generally provides for the control and eradication of various pests.

This bill would state that the Red Imported Fire Ant (*Solenopsis invicta*) is a significant threat to California and would declare that the further introduction and spread of this serious pest would be detrimental to the state by causing severe damage to humans, plants, and animals. This bill would authorize the Secretary of Food and Agriculture to adopt quarantine or other regulations that prohibit the importation of the Red Imported Fire Ant. Because violations of prohibitions relating to plant quarantines and pest control are a misdemeanor, by authorizing the secretary to create new quarantine prohibitions, this bill would create a new crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5.5 (commencing with Section 6010) is
2 added to Chapter 9 of Division 4 of the Food and Agricultural
3 Code, to read:

4
5 Article 5.5. Red Imported Fire Ants
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7 6010. The Red Imported Fire Ant (*Solenopsis invicta*) is a
8 significant threat to California. The Legislature hereby declares
9 that the further introduction and spread of this serious pest would
10 be detrimental to the state by causing severe damage to humans,
11 plants, and animals. The eradication of this pest is essential for
12 the health and safety of California's citizens and the economy.

13 6011 The secretary may adopt quarantine or other regulations
14 that prohibit the importation of the Red Imported Fire Ant.

15 SEC. 2. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution because
17 the only costs that may be incurred by a local agency or school
18 district will be incurred because this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the
20 penalty for a crime or infraction, within the meaning of Section
21 17556 of the Government Code, or changes the definition of a
22 crime within the meaning of Section 6 of Article XIII B of the
23 California Constitution.